

## REMARKS

Reconsideration of the present application is respectfully requested in view of the following remarks.

Applicant gratefully acknowledges the interview with Examiner Stephen to discuss the outstanding Office Action.

### CLAIM REJECTIONS - 35 USC § 103

Claims 1, 3-5, 8 and 10-22 stand rejected under 35 USC § 103(a) as being unpatentable over Gortz et al. (US 6,629,183) in view of Wakefield (US 5,734,137). The primary reference to Gortz et al. is of course the same primary reference previously relied upon in the final rejection dated March 25, 2009 from which an appeal was taken. Following the submission by Applicant of a Pre-Appeal Brief Request For Review this final Office Action was withdrawn and the presently outstanding Office Action entered.

The only difference between the previous final Office Action and the present Office Action is the newly cited secondary reference to Wakefield. However, from a disclosure standpoint, the Wakefield reference is essentially equivalent to the Bramesfeld et al. reference (US 6,140,593) cited in combination with Gortz et al. in the withdrawn final Office Action.

During the interview the Examiner, explaining her application of the Gortz et al. reference to the claims of the present application, identified the keyboard 12.1 and the individual keys on the keyboard device 12.1 as corresponding to the "operational control

units" recited in the claims. The Examiner then asserted that it would be obvious to interchangeably arrange the positions of the keys on the keyboard 12.1, in view of Wakefield. However, as explained by Applicant during the interview, such a combination would still not result in the present invention as claimed.

In particular, the only interchangeable items in Wakefield (similar to the Bramesfeld et al. reference) are the keys 18 themselves, which are completely passive devices. In other words, as with the switch caps 20 in the Bramesfeld et al. reference, the keys 18 in Wakefield contain no circuitry that transmits a control signal containing identification information, as recited in the claims. Note, each of the interchangeable operational control units in the present invention are expressly defined as comprising "a transmitting unit for transmitting a control signal that contains identification information identifying the particular operational control unit...". Thus, the interchangeable operational control units in the present invention comprise active circuit devices. (See discussion in last paragraph on page 3 of Pre-Appeal Brief.)

In addition, with respect to independent Claims 12-14, as well as dependent Claims 3-5, the transmitting unit in each operational control unit is defined as transmitting the control signals wirelessly to the receiving unit in the control device. The Examiner asserts that Gortz et al. teaches this feature of the present invention, citing col. 2, lines 61-64 and col. 4, lines 1-4 and 13-14. However, as discussed during the interview and explained in previous responses, these passages refer to the camera 12.3 and video display 13.1 in Gortz et al. that provide optical communication between the system and the user. In other words, these passages do not teach or suggest an

optical communication link between the keyboard 12.1 (which the Examiner identified as corresponding to the "operational control unit") and the tactile driver interface 21, which is connected to and therefore receives the signals from the keyboard 12.1. All of the connections between the various input/output devices in Gortz et al. and the interface circuit 14 are hardwired, not wireless.

Accordingly, at least for the above reasons, present Claims 1, 3-5 and 7-22 are believed to define patentable subject matter and are therefore in condition for allowance. At the conclusion of the interview, the Examiner acknowledged a misunderstanding of the present invention and agreed that the present invention as claimed distinguished over the cited art. Favorable reconsideration is therefore respectfully requested.

Respectfully submitted,

Dated: January 6, 2010

By:   
Christopher M. Brock  
Reg. No. 27313

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

CMB/bh

15258642.1